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C O N F I D E N T I A L KINSHASA 001268

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SUBJECT: UPDATE ON DRC'S LEADING LABOR UNION

REF: KINSHASA 398

Classified By: ECON OFFICER WBRAFMAN for REASONS 1.4 b/d.

¶1. (SBU) The DRC's leading labor union continues to exert little impact on workplace or political matters. EconOff and PolOff met with Symphorien Dunia, President of the Confederation Syndicale Du Congo (CSC), the DRC's leading labor organization (reftel) August 7.

¶2. (SBU) Dunia reviewed some of CSC's 2006 objectives during the meeting with EmbOffs. Dunia emphasized CSC members' continuing attempts to negotiate collective bargaining agreements in each formal sector workplace. He said (albeit not entirely convincingly) that CSC was putting some priority on getting these agreements signed first with large businesses. However, he could not define a large enterprise, explaining that it varied according to the sector, and could mean more than 20 employees, or more than 50. (Note: In Kinshasa, Dunia estimates that more than 600 formal sector businesses exist, and well over 1000 country-wide. End note.) Further, he did not indicate that the unions have had any notable success in obtaining or enforcing collective bargaining agreements.

¶3. (C) Dunia singled out the mining companies' labor law violations, particularly those he said that "Asian-run" entities in Katanga committed. He described the sector as "anarchic," from an employee's point of view. He said that many do not follow basic health and safety laws and regulations with regard to both employees and neighboring residents. (Note: He said that he had not heard any negative reports about American mining company Phelps Dodge. End note.) Dunia complained that Asian mining companies merely "pillage" the DRC's natural resources and create no social infrastructure in the process. He said mining companies have not threatened union chapters that have complained about such problems, admitting that perhaps it is because unions remain weak. He also said unions are unable to engage the GDRC in labor law enforcement in mining or any other sector because the "state does not exist." (Note: The GDRC promulgated a new labor code and regulations in 2002, with Work Bank support. End note.)

¶4. (C) Dunia noted that CSC did not play any political or institutional role in elections, although Dunia did recently make a public statement critical of the transitional government, in his capacity as CSC president. The CSC did not publicly endorse any candidates or otherwise engage in election activities such as sending members to voting or compilation centers to witness the voting and counting processes, although it did encourage its members to vote. Dunia claims he has been the target of harassment by the MLC in response to his public statement and because he is from

the East. However, he did not offer evidence to support these claims.

Comment

¶5. (SBU) Unions continue to remain largely ineffectual in the DRC. It is not clear whether their institutional capacity will be able to develop alongside expected post-transition economic development. End comment.
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